

STAND. COM. REP. NO. **2338**

Honolulu, Hawaii

FEB 13 2014

RE: S.B. No. 2962
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and
Military Affairs, to which was referred S.B. No. 2962 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS, "

begs leave to report as follows:

The purpose and intent of this measure is to allow members of
a county council to jointly attend any meetings or presentations
without violating the Sunshine Law as long as the meeting or
presentation is open to the public.

Your Committee received testimony in support of this measure
from four individuals. Your Committee received testimony in
opposition to this measure from the Office of Information
Practices, League of Women Voters, and Common Cause Hawaii.

Your Committee finds that as elected officials, it is the job
of county council members to find out how people in the community
feel about policy issues and to become educated on those issues.
However, under section 92-2.5(e), Hawaii Revised Statutes, if more
than a quorum of county council members attend any meetings or
presentations open to the public, they may be in violation of the
Sunshine Law. This measure will increase communication between
county council members and their constituents, while providing
public protection against inadequate notice of discussions by
county council members in which or by which people may be
interested or affected.



Your Committee has amended this measure by deleting its contents and inserting language to:

- (1) Describe the legislature's findings and the purpose of the measure in accordance with the amendments;
- (2) Through June 30, 2018, allow any number of county council members to attend and hold a limited public meeting to discuss council business, as the guest of a board or community group holding its own meeting;
- (3) Provide that notice of the limited meeting meets the requirements of section 92-7, Hawaii Revised Statutes;
- (4) Require a board or community group that is subject to part I, chapter 92, Hawaii Revised Statutes, holding a meeting that a county council is attending, to meet the requirements of part I, chapter 92, Hawaii Revised Statutes;
- (5) Restrict limited meetings of a county council to no more than one per month for any one board or community group;
- (6) Require all limited meetings to be held in the State;
- (7) Provide that limited meetings shall not be held to circumvent part I, chapter 92; and
- (8) Make technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2962, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2962, S.D. 1, and be referred to the Committee on Judiciary and Labor.



Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,

Will Espero

WILL ESPERO, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety and Military Affairs
PSM

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|---|--|---|-----|---------|
| Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 2962</div> | Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">PSM, JDL</div> | Date: <div style="font-size: 1.2em; font-family: cursive;">2-11-14</div> | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div> | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| ESPERO, Will (C) | ✓ | | | |
| BAKER, Rosalyn H. (VC) | ✓ | | | |
| GALUTERIA, Brickwood | ✓ | | | |
| GREEN, M.D., Josh | | | | ✓ |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 4 | - | - | 1 |
| Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div> | | | | |
| Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">Rosalyn H Baker</div> | | | | |
| <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.7em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div> | | | | |

*Only one measure per Record of Votes